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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;  
16 OTTOMOTTO LLC; OTTO TRUCKING  
LLC,

17 Defendants.

CASE NO. 3:17-cv-00939-WHA

**PLAINTIFF WAYMO LLC'S  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL PORTIONS OF ITS  
LETTER BRIEF TO COMPEL  
PRODUCTION OF MATERIALS  
WITHHELD BY ANTHONY  
LEVANDOWSKI UNDER THE FIFTH  
AMENDMENT AND EXHIBITS 3, 4, AND  
5 THERETO**

Pursuant to Civil L.R. 7-11 and 79-5, Plaintiff Waymo LLC (“Waymo”) respectfully requests to file under seal information in its Letter Brief to Compel Production of Materials Withheld by Anthony Levandowski Under the Fifth Amendment (the “Letter Brief”) and exhibits 3, 4, and 5 thereto, filed concurrently herewith. Specifically, Waymo requests an order granting leave to file under seal the portions of the documents as listed below:

Document	Portions to Be Filed Under Seal	Designating Party
Letter Brief	Highlighted in Blue	Defendants
Exhibits 3, 4, and 5	Entire Documents	Defendants

### **I. LEGAL STANDARD**

Civil Local Rule 79-5 requires that a party seeking sealing “establish[] that the document, or portions thereof, are privileged, protectable as a trade secret or otherwise entitled to protection under the law” (*i.e.*, is “sealable”). Civil L.R. 79-5(b). The sealing request must also “be narrowly tailored to seek sealing only of sealable material.” *Id.*

### **II. UBER’S CONFIDENTIAL INFORMATION**

Waymo seeks to seal the portions of the Sur-Reply and supporting exhibits only because Defendants have designated the information confidential and/or highly confidential. Declaration of Patrick Schmidt (“Schmidt Decl.”) ¶ 3. Waymo expects Defendants to file one or more declarations in accordance with the Local Rules.

### **III. CONCLUSION**

In compliance with Civil Local Rule 79-5(d), redacted and unredacted versions of the above listed documents accompany this Administrative Motion. For the foregoing reasons, Waymo respectfully requests that the Court grant Waymo’s Administrative Motion.

DATED: June 12, 2017

QUINN EMANUEL URQUHART & SULLIVAN,  
LLP

By /s/ Charles K. Verhoeven

Charles K. Verhoeven

Attorneys for WAYMO LLC